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P/35-4


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael D. Krysiak.

Serial No.: 09/769,076

Filing Date: January 25, 2001

For: COLORED AND FRAGRANCED MULCH

Assistant Commissioner for
Patents
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NON-PROVISIONAL
APPLICATION**

Sirs:

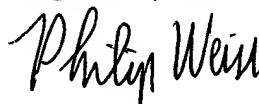
This is in response to the Notice to File Missing Parts mailed March 22, 2001, in connection with the above-identified application. Applicant is enclosing herewith a copy of the cancelled check in the amount of \$1025.00 showing that the original filing fees were submitted to the Patent and Trademark Office.

A copy of the postcard acknowledging receipt of the check is also enclosed.

Since applicant believes this is an error on part of the U.S. Patent and Trademark Office, no surcharge is being submitted.

Dated: April 10, 2001

Respectfully submitted,



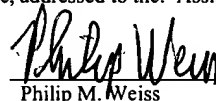
Philip M. Weiss
Attorney for Applicant
Reg. No.: 34,751
Weiss & Weiss
500 Old Country Road, Suite 305
Garden City, New York 11530

PMW:kat

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence (and any document referred to as being attached or enclosed) is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231 on April 10, 2001.

Dated: April 10, 2001


Philip M. Weiss



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WEISS & WEISS ATT AT LAW, PC

500 OLD COUNTRY RD.
GARDEN CITY, NY 11530DATE 1/25/01

1-32/210

Assistant Commissioner of Patents

PAY TO THE ORDER OF

\$ 1,025.00

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Carle Place, New York 11514FOR 8/35-4 colored match*Philip Wein*

MP

CIP "001634" "021000322" 94,224 554,79"

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acrm

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PATENT AND TRADEMARK OFFICE
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U.S. DEPT. OF COMMERCE

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FIRST VICTORY CANN
102 ARDEN AVE.
FALLS CHURCH, VA
703-261-1184
056 COL 1184

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3239 118 100 01312001

Security Features:
Microprint Strips
Chemically Sensitive Paper
Foil Acoustic
Security Overlay

Results of Security Features:
Similar type in design and appearance
as described in the patent application
Results of security features are
chemical sensitive
Foil Acoustic
Security Overlay

Security Features are described in the patent application and are not described in the patent application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Encap, LLC.

For: **COLORED OR FRAGRANCED HORTICULTURAL/AGRICULTURAL
PRODUCTS**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Enclosed please find:

1. Patent Application (including Specification, Claims and Abstract);
2. Declaration;
3. Three (3) assignments (including Patent Recordation Cover Sheet);
4. Check in the amount of \$1,025.00 to cover the filing fee calculated as follows:
Total Claims: 50
Total Independent Claims: 13
5. Check in the amount of \$40.00 to cover the Assignment Recordation fee;
6. Six (6) sheets of formal drawings containing Figs. 1-5, 6A-6D and 7-8

Please note that the Applicant is a SMALL ENTITY.

Please stamp and send back the enclosed postcard.

Respectfully Submitted,

Philip M. Weiss, Esq.
Reg. No. 34,751

Express Mail mailing label No.: EL 636893814 US

Date of Deposit: January 25, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents, Washington, DC 20231

Philip M. Weiss
Signature

January 25, 2001
Date

EL636893814US

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Applicant: Encap, LLC.

Title: COLORED OR FRAGRANCED HORTICULTURAL/AGRICULTURAL
PRODUCTS

Enclosed Please Find:

Patent Application (Specification, Abstract & Claims)

Check in the amount of \$1,025.00 for the filing fee
Declaration

Recordation Form Cover Sheet

Three (3) Assignments

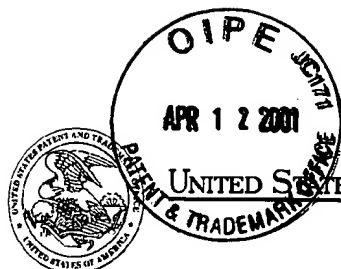
Check in the amount of \$40.00 (check no. 1435)

Six sheets of drawings containing Figs. 1-5, 6A-6D & 7-8.



Kindly acknowledge by stamping and returning.
P/35-4 CIP

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/769,076	01/25/2001	Michael D. Krysiak	P/35-4

CONFIRMATION NO. 7143

FORMALITIES LETTER



OC000000005891272

Weiss & Weiss / Philip M. Weiss
Suite 305
500 Old Country Road
Garden City, NY 11530

Date Mailed: 03/22/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$670.
 - \$270 for 30 total claims over 20.
 - \$400 for 10 independent claims over 3 .
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1090.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE